

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

Xianyuan Wang,

Plaintiff,

v.

Bailin Fang,

Defendant.

No. CV-22-00780-PHX-ESW

ORDER

This matter was assigned to Magistrate Judge Eileen S. Willett. (Doc. 3). On December 20, 2022, the Magistrate Judge filed a Report and Recommendation with this Court.¹ (Doc. 15). To date, no objections have been filed.

STANDARD OF REVIEW

The Court “may accept, reject, or modify, in whole or in part, the findings or

¹ This case is assigned to a Magistrate Judge. However, not all parties have consented to the jurisdiction of the Magistrate Judge. Thus, the matter is before this Court pursuant to General Order 21-25, which states in relevant part:

When a United States Magistrate Judge to whom a civil action has been assigned pursuant to Local Rule 3.7(a)(1) considers dismissal to be appropriate but lacks the jurisdiction to do so under 28 U.S.C. § 636(c)(1) due to incomplete status of election by the parties to consent or not consent to the full authority of the Magistrate Judge,

IT IS ORDERED that the Magistrate Judge will prepare a Report and Recommendation for the Chief United States District Judge or designee.

IT IS FURTHER ORDERED designating the following District Court Judges to review and, if deemed suitable, to sign the order of dismissal on my behalf:

Phoenix/Prescott: Senior United States District Judge Stephen M. McNamee

1 recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1)(C); see Baxter v.
 2 Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991). Parties have fourteen days from the service
 3 of a copy of the Magistrate’s recommendation within which to file specific written
 4 objections to the Court. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 6, 72. Failure to object to a
 5 Magistrate Judge’s recommendation relieves the Court of conducting *de novo* review of
 6 the Magistrate Judge’s factual findings and waives all objections to those findings on
 7 appeal. See Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998). A failure to object to a
 8 Magistrate Judge’s conclusion “is a factor to be weighed in considering the propriety of
 9 finding waiver of an issue on appeal.” Id.

10 DISCUSSION

11 Having reviewed the Report and Recommendation of the Magistrate Judge, and no
 12 Objections having been made by any party thereto, the Court hereby incorporates and
 13 adopts the Magistrate Judge’s Report and Recommendation.

14 CONCLUSION

15 Accordingly, for the reasons set forth,

16 **IT IS ORDERED adopting** the Report and Recommendation of the Magistrate
 17 Judge. (Doc. 15).

18 **IT IS FURTHER ORDERED granting** Plaintiff’s Motion for Default Judgment.
 19 (Doc. 12).

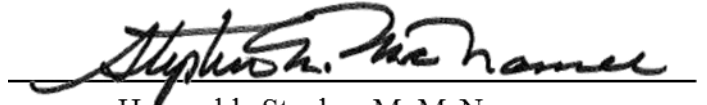
20 **IT IS FURTHER ORDERED entering judgment** in favor of Plaintiff and against
 21 Defendant.

22 **IT IS FURTHER ORDERED that:**

- 23 1. The domain names 707.com and h66.com be returned to Plaintiff’s
- 24 possession, ownership, and control;
- 25 2. GoDaddy is directed to return Plaintiff’s registrant account (Customer No.
- 26 66919910) to Plaintiff’s possession, ownership, and control; and
- 27 3. The remaining claims in the Complaint for conversion (Count II), intentional
- 28 interference with contractual relations (Count III), and the request for

1 declaratory judgment (Count IV) are dismissed without prejudice.

2 Dated this 9th day of January, 2023.

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5 Honorable Stephen M. McNamee
6 Senior United States District Judge
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